

The University of Chicago

MORMON THEORY OF CHURCH
AND STATE

A PART OF A DISSERTATION SUBMITTED TO
THE FACULTY OF THE DIVISION OF THE
HUMANITIES IN CANDIDACY FOR THE
DEGREE OF DOCTOR OF PHILOSOPHY

DEPARTMENT OF COMPARATIVE RELIGION
1938

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Herein is presented: (1) a summary and characterization of the broad tendencies of the Latter-day Saint philosophy of church and state from 1830, the date of the organization of the church, until 1896, the date of the admission of Utah to statehood; (2) a sketch of twentieth century drifts and emphases in Mormon religio-political philosophy. This study is based chiefly on the manuscripts lodged in the Latter-day Saint Church archives throughout the State of Utah.

Mormon Theory, 1830-1896

Ethics, theocracy, and democracy.--Latter-day Saint philosophy in one of its aspects is anthropocentric: all the universes of worlds and atoms, all the relationships of men and gods exist that man may win eternal joy and progress.¹ Governments find justification for existence in the degree to which they minister to man in his quest for the realization of his ideals. It follows that the "most perfect" government is best. God did provide such government in the beginning of the world, but in time that theocracy was forsaken by errant mankind.²

The myriad of terrestrial governments are adulterations--at least they are of human origin. It is true that in them there may be preserved some of the governing principles which were in the primeval theocracy. And it is equally true that the Spirit of God has inspired afresh the adoption in many terrestrial governments of some of the divine truths.³ In fact, God sanctions earthly government in so far as it is instrumental in effecting order and justice.⁴ Yet civil governments have their authority

¹See the following Latter-day Saint scriptures: The Book of Mormon, 2 Nephi 2:25; The Doctrine and Covenants, 93:36; 130:18-19; 131:6; 132:20.

²Journal of Discourses, Vols. I-XXVI (Liverpool, 1854-1886), VII, 210-217; Joseph Smith Jr., History of the Church of Jesus Christ of Latter-day Saints, Vols. I-VI (Salt Lake City: Deseret News Press, 1902-1912), II, 15.

³Journal of Discourses, VI, 342.

⁴Doctrine and Covenants, 134: 1-3.

in the consent of the governed.

Mormonism was introduced to the world on the foregoing theses and on the further proposition that in the nineteenth century God designed to restore eternal principles of order and government preparatory to his millennial advent. The keys of this renewed order were conferred upon Joseph Smith. The Saints proclaimed the superiority of a forthcoming theo-democracy and announced that those who were submissive to the gospel teachings and ordinances ultimately would receive governing positions therein.¹

The Saints in the days of Joseph Smith and Brigham Young did not understand that the time for the establishment of the theo-democracy had arrived.² However, that time when the Kingdom should come and the Saints should be inducted into positions of dominion was imminent. It was at the doors.³ It is equally clear that the Saints did not consider themselves called to establish this kingdom and dominion with the sword. God could and would cast down and set up in his own time and fashion. The Latter-day Saints were not to make holy war against worldly governments.⁴ The Mormons were warners to the world, not warriors against it.⁵

During this interregnum until Christ should come, the Latter-day Saints would be loyal citizens under whatsoever type of government they resided.⁶

But the American government and the Western Hemisphere occupied a certain preëminence in Mormon thinking. Columbus was

¹"Mount Pleasant High Priests' Minute Book," MS, entry December 18, 1859 (Unless otherwise indicated the documents herein referred to are to be found in the various Latter-day Saint archives in Utah). See also Journal of Discourses, VI, 346.

²"Manti Historical Record, Book D," MS, entry January 7, 1860; "Minutes and History of the Fairview Ward, Book # 1," MS, entry March 11, 1860; "Mayfield Historical Record, Book B," MS, entry January 19, 1891; Journal of Discourses, passim.

³"Parowan Stake Historical Record, Book B," MS, p. 29 (1872-1887); "Manti Historical Record, Book C," MS, entries August 9, September 27, 1857, and January 30, 1859; Doctrine and Covenants, passim.

⁴A number of writers have claimed that Mormonism embraced a Jihad, or doctrine of holy war against non-believers. See for example, Hans Thimme, "Mormonism and Islam," Moslem World, XXIV (1934), 155.

⁵Doctrine and Covenants, 1:4; 65:3-6; 88:81, 89-90.

⁶Smith, op. cit., IV, 535-541 (Articles of Faith).

led to discover America, and the patriot fathers were responsive to God's Spirit when they incorporated principles of freedom into the Constitution.¹ In fact, American freedom was a condition precedent to the establishment of the Church of Jesus Christ of Latter-day Saints and the proclamation of the gospel to the world for the last time. Thus in Mormon thinking the American system was one of those temporal governments in which the Spirit of God had found freer expression than in others. Latter-day Saint philosophy was interlaced with cords of attachment for the democratic principles embodied in the Constitution of the United States.²

This feeling that the American land and institutions held favored position in the economy of God was not an exclusive Latter-day Saint sentiment; it was openly expressed by American leaders and masses. That the Mormons voiced it is not unique. Rather, the significance lies in the fact that these commitments of democracy and loyalty came to the Latter-day Saints in the voice of revelation. The Saints codified Americanism, Constitutionalism, and Democracy.

This democratic disposition was manifested in and stimulated through the civil structures which the Latter-day Saints were instrumental in establishing, namely, their city, county, and state institutions.³

The religious or semi-religious "business meetings" held throughout the early Mormon settlements were local gatherings in which the pioneers adjusted their communal needs very largely in accordance with the democratic pattern.⁴

¹Book of Mormon, 1 Nephi 13: 12; 2 Nephi 1: 5: Doctrine and Covenants, 101: 77-78.

²Joseph Smith said: "I am the greatest advocate of the Constitution of the United States there is on earth" ("Journal History of the Church of Jesus Christ of Latter-day Saints," MS, L. D. S. Historian's Office, Salt Lake City [1830-], entry October 15, 1843). See also: ibid., entry March 25, 1839; Journal of Discourses, II, 179-181; VI, 344; VII, 14; I, 137-143; III, 71; XXI, 8, XXIV, 70; XXIII, 213.

³See for example: Laws and Ordinances of the State of Deseret, 1851 (Utah).

⁴"Moroni Historical Record, Book A," MS, p. 9. See also ibid., Book B, pp. 19-20; Salt Lake City "Original Tenth Ward Record," MS, p. 53 (1849-1855); "Mayfield Historical Record, Book A," MS, entry December 13, 1880; "Manti Historical Record, Book D," MS, entry February 3, 1861; "Record of Business Meetings and Bishops' Courts," MS (Spring City, Utah).

Also the early Mormon Church polity was quite congregational.¹ It was provided that every officer of the Church must be voted upon by the members.² It was announced to the Saints that with them all things should be done by common consent.³ Even a revelation was not binding upon the Church unless it was submitted to and accepted by the people.⁴ At the Smoot investigation (1904-1906) it was facetiously remarked that the Mormons seemed to claim a veto power on the Almighty Himself.

In church polity, however, and to a considerable extent in civil affairs, there flowed through this democracy the cross-current of "counsel" from the priesthood.⁵ While the members ultimately were to decide matters in the religious realm, yet the authorities held power to initiate plans and nominate ecclesiastical officers.⁶ So far as the ecclesiastical polity was concerned the very name of the Church bespoke this sharing of power. It was the "Church of Jesus Christ"; it was also the Church "of the Latter day Saints."⁷ This disposition to look to ecclesiastical leaders for counsel in religious affairs flowed over into other phases of Latter-day Saint communal activity.⁸ It was an integral part of Mormon philosophy to seek counsel from the priesthood in all problems of life, both spiritual and temporal.

Loyalties and the right of resistance.--As we have stated, the Saints stoutly proclaimed their loyalty to existing governments during the temporal interim until the Kingdom of God should be established. However, they equally firmly declared that there was a right and duty to resist unconstitutional measures of an

¹See the Stake and Ward "Historical Records," passim.

²Doctrine and Covenants, 124: 144. ³Ibid., 26: 2.

⁴Proceedings before the Committee on Privileges and Elections of the United States Senate in the Matter of the Protests against the Right of the Hon. Reed Smoot, a Senator from the State of Utah, to hold His Seat, Vols. I-IV (Washington: Government Printing Office, 1904-1906), I, 96.

⁵"Manti Historical Record, Book B, MS, entry April 22, 1855; ibid., Book D, entry July 22, 1860; "Minutes and History of the Fairview Ward, Book # 1," MS, p. 153.

⁶Smoot Proceedings, III, 135.

⁷For an elaboration of the significance of this title see an article by B. H. Roberts, ibid., III, 60.

⁸See the Stake and Ward "Historical Records," passim.

established government, and to act in self-defense in all cases where the government could not or would not extend its protection.¹ During the critical years from 1830 to 1896 Mormon ideology was characterized by the presence of these two fixed theories.

Crises put sinew into the Latter-day Saint philosophy of resistance. Sometimes in the heat of the conflicts the Saints openly condemned state and federal officials and foreboded the disruption of American institutions if violations of constitutional rights were not redressed.² Some Mormons, angered under the stresses, went further in their condemnation. The latter, however, were the extremists and their expressions were back-eddies in rather than the main current of Mormon thought.

After the Latter-day Saints had been driven by Americans from the states of Ohio, Missouri, and Illinois, they still proclaimed their loyalty to America and their love of American institutions.³ They did not desist, however, in criticism of administrators in the states of their oppression or of the officials in the central government at Washington.⁴

While refugees on the plains during the summer of 1846, the Saints delivered five hundred of their ablest men to march in the United States army against Mexico. This they did partly for their own financial welfare and partly to attest their loyalty to America.⁵

Some ten years thereafter, during the summer of 1857, President Buchanan ordered the federal troops to march against the Utah pioneers to quell a supposed rebellion. The Saints declared that the governmental action was without justification, that it was an invasion of sacred rights, and that it would be resisted. During the preparations for war in 1857-1859, the Mormon meetings were characterized by a mixture of protestations of loyalty to the government and ringing cries of resistance to the army.⁶

¹Doctrine and Covenants, 134: 11

²"History of Payson," MS, summary year 1857 (1850-1884).

³Times and Seasons, VI (1846), 1096-1097.

⁴Millennial Star, IX (1847), 67.

⁵"Journal History," MS, entry August 14, 1846.

⁶Journal of Discourses, V, 232 (September 13, 1857). Dates given in connection with this publication refer to date of sermon.

As a war measure the Saints were ready to burn every vestige of civilization which they had toiled to build.¹ But there was no rebellion; there was no battle to be fought.

At length the United States soldiers were recalled from Utah to engage in the Civil War. The Latter-day Saints were in no mood to follow them. In the first place the Saints were beset with the exigencies of warfare against Indians and the elements. In the second place the Civil War fitted more or less comfortably into the Mormon philosophy of history. When the Latter-day Saints left the East for their unknown western destination soon after the assassination of their leaders, they declared that America would have to pay for such an invasion of justice.² The Civil War was viewed as retribution upon the American people, among other things, for their "dealing against the Saints."³ Moreover, it was felt that God had permitted the Saints to be driven only that they might escape that fraternal bloodshed.⁴ It was not designed that they should be involved in the Civil War. Although the Mormons rendered but little assistance to the North from 1861 to 1864, they proclaimed that they would not secede from the Union.⁵

Through the entire dispute over polygamy (polygyny) these same theories of loyalty and the right of resistance were manifested. The anti-polygamy legislation was unconstitutional and therefore it was to be opposed in the name of human rights and in the interest of the preservation of the constitution itself.⁶ That was the clear and unwavering theoretical justification of the Mormon position.

In 1890, under pressure of state prosecution, the Saints

¹"Manti Historical Record, Book C," MS, entries August 23, 1857; March 28, 1858.

²"Journal History," MS, entry March 9, 1846.

³"Manti Historical Record, Book D," MS, entry August 18, 1861. See also: "Minutes and History of the Fairview Ward, Book # 1," MS, entry March 11, 1860; "Mount Pleasant Elders' Minute Book," MS, entry January 14, 1865.

⁴Journal of Discourses, VIII, 360 (July 4, 1861).

⁵Ibid., X, 111; B. H. Roberts, A Comprehensive History of the Church, Vols. I-VI (Salt Lake City: Deseret News Press, 1930), IV, 548; V, 1 ff.

⁶"Mount Pleasant High Priests' Record," MS, p. 30 (1883-1913).

yielded to the series of anti-polygamy statutes which had been declared constitutional in the court of last resort.¹ At the close of this first period there was no question with the Mormons, if any there remained with others, as to which institution, church or state, should be "respectfully bowed to" by the Latter-day Saints should conflict arise between a church principle and a law which was constitutional.²

Throughout Mormon history as each of these critical issues was settled or compromised, the Latter-day Saints with renewed vigor asserted their loyalty and patriotism to the government.

The domains of church and state.--The early Latter-day Saint missionaries were met with contempt at the doors of the established churches in Europe. They resented such "establishments"; in so doing they voiced the nineteenth century American sentiment that not merely toleration, but equal privileges should be granted to all religious denominations. Separation of church and state was an integral part of the Mormon creed.³

The existence of the Utah theocracy, chiefly from 1847 to 1849, was not expressive of a Mormon philosophy to the contrary. During those years there was no civil state in Utah. The church provided the government. The Saints, however, did not desire or attempt to establish their church as a state church. They did not feel to rebel against the United States. They did not plan to usurp the functions or sovereignty of the state. The theocratic period in Utah, as in Iowa and Illinois, was transitional. The Latter-day Saints, uprooted from one set of civil institutions, had not yet grown another set. In the interim the church organization persisted, and it was the means adopted to administer law and insure cooperation for community needs. The current theocratic rule was temporary in fact and in theory. The advent of the Kingdom of God was for the future.

The writings and petitions of the Saints in the midst of these theocratic eras show that civil government was contemplated.⁴

¹See the Woodruff "Manifesto" in appendix to current edition of the Doctrine and Covenants.

²See statements in Smoot Proceedings, I, 313-314, 317-318.

³Doctrine and Covenants, 134: 9.

⁴"History of Brigham Young," MS, (1844-1877), 1846: 140; Roberts, op. cit., III, 309.

The Latter-day Saint ecclesiastical legislation bespeaks an assumption of power in default of civil institutions rather than in defiance of them.¹ Indeed the Mormons frequently complained that they were handicapped by absence of recognized civil institutions.² In 1849, after two years of Utah theocracy, the Latter-day Saints themselves organized the provisional State of Deseret to replace their theocratic state.

On the other hand there can be no question as to the nature of the Mormon philosophy relative to the inclusiveness of the religious domain. Religion to the Latter-day Saints touched every phase of life. All the problems and issues of the universe were religious since they affected mankind.³ It was inevitable that the Saints should not sharply dissociate the realms of religion and government, even if they should declare for a separation of church and state.

This philosophy is very evident in the jurisdiction and function of the Latter-day Saint ecclesiastical courts.⁴ During the theocratic period the ecclesiastical courts were the sole tribunals. After 1849 these bodies yet settled a very great amount of legal business for their people. Almost every conceivable type of litigation was handled. Inter-party civil disputes were felt to be properly disposed of only before church courts. It was a disgrace to drag a brother before a court of the Gentiles. In criminal matters the ecclesiastical courts exercised concurrent jurisdiction with the civil courts. That is to say, state and church applied their respective sanctions against crimes and sins. Ecclesiastical sanctions, in the main, consisted of suspension or withdrawal of church membership or other spiritual interdiction.

Mormon legislators expressed Mormon ideals in their legislation. In other words, legislative enactments were colored with territorial and local interests. In point for illustration are

¹"Journal History," MS, entry December 27, 1847; "Pottawatomie High Council Record," MS, pp. 73-74.

²"Journal History," MS, entry October 10, 1848.

³Doctrine and Covenants, 29: 34; "Mount Pleasant High Priests' Minute Book," MS, entry November 27, 1868; "Manti Historical Record, Book C," MS, entry April 20, 1857; *ibid.*, Book D, entry June 24, 1860.

⁴See especially Therald N. Jensen, "Mormon Ecclesiastical Courts," MS, Manti, Utah (1937).

the Utah enactments relative to probate court jurisdiction,¹ and the Nauvoo ordinances relative to writs of habeas corpus and unlawful search and seizure.² Furthermore, due in the main to the almost identical personnel of state and church in the Latter-day Saint communities, there was often in practice a close interaction between them, both in the East and in the Rocky Mountains.³

There was nothing in Mormon philosophy which constrained Joseph Smith, Brigham Young, and their followers from courting civil positions. Moreover, there was positive circumstantial impulsion toward filling political offices through religious influence. In the East the Latter-day Saints were in such circumstances that they found it necessary to seek political favors. They voted for their own candidates and for non-Mormon candidates who would promise them aid.⁴ This was a lively source of difficulty and resulted in a political dichotomy--the Mormons versus the anti-Mormons, the new settlers versus the old. In Ohio, Missouri, and Illinois the old settlers had prior rights and superior numbers. When it came to a test the Mormons were forced to move. In the West the Saints were the "old settlers"; they were determined to maintain such political power that they would not have to move again.

Because of the strength of the Mormon population in the Utah towns there was little disturbance at first. The Latter-day Saints expressed the hope that the "hatreds of the party spirit" would never come into their midst.⁵ Church gatherings often were utilized to name civil delegates and to approve candidates. But the non-Mormons came. They united under the banner of the "Liberal" party, and the Mormons under the "People's" party. In the former were the crusading federal judges, lawyers, ministers, reformers, and traders. In the main the Liberal party stood for

¹Acts, Resolutions, Memorials, 1866, chap. I, sec. 29 (Utah).

²"Journal History," MS, entries January 10, and February 12, 1844.

³See the "Journal History," and the Stake and Ward "Historical Records," passim.

⁴Times and Seasons, III (1841), 651.

⁵"Manti Historical Record, Book A," MS, entry August 3, 1851.

federal-rule rather than for home-rule. That issue was a focal point of much of the Mormon-Gentile conflict. Among other manifestations of and causes for this division into church and anti-church parties were the cooperative economic institutions set up by the Saints.¹ For many years during this period of Utah history both Mormons and Gentiles utilized religious gatherings and religious propaganda for political purposes.

This close connection of church and political party was not inherent in Mormon philosophy any more than it was inherent in the philosophy of the Presbyterians, Baptists, Methodists, and Episcopalians who fought the Mormons. It was the natural result of the opposition between the Saints and their enemies. It was not only the result. It was also a cause for the perpetuation of enmity. But by 1890 the Saints and the Gentiles were equally anxious for it to cease. It was during the last decade of the nineteenth century that the national parties were invited to replace the old order.²

Twentieth Century Trends

During the decade from 1890 to 1900, the passing of the polygamy agitation, the political division on party rather than on religious lines, and the granting of statehood and home rule to Mormon Utah marked a new era in the history of the Latter-day Saint Church and the state.

Events of the next forty years did not disturb the basic Latter-day Saint philosophy relative to the need and justification of government as an aid to man in his quest of joy and progression. Free agency and democracy also persisted in Mormon thought as God-given principles designed for the happiness of mankind. Nor did the cessation of conflict eliminate Latter-day Saint belief in the eventual return of the theo-democracy. However, the date of the return was prolonged--if not in logic, certainly in feeling. Suffering and eschatology always have had definite correlation.³

¹Edward Allen, The Second United Order Among the Mormons (New York: Columbia University Press, 1936).

²Smoot Proceedings, I, 807; Roberts, op. cit., VI, 298 ff.

³For these recent emphases see the Conference Reports (Salt Lake City: Published by the Church, 1900-1938), passim.

The Latter-day Saint Church yielded to the state in certain institutional areas. It curtailed the jurisdiction of its ecclesiastical courts,¹ withdrew along with non-Mormons from one time political influence,² entrusted the more secular education to the state,³ and until the recent depression projected no new economic plans in competition with or alongside those of the state.⁴ Latter-day Saint ideology was impressed with new emphases in keeping with changed institutional relationships.

As the church became less totalitarian it gained in reputation for "patriotism," especially in the presence of a state which was steadily becoming more totalitarian. Even non-Mormons enthusiastically proclaimed that they saw in the Latter-day Saint system strong implementing loyalties to American ideals and institutions.⁵

By 1930 the Mormon world emphasis was less geographical and more universal than formerly. Foreign Latter-day Saints were reminded that they could achieve "Zion" in their own lands.⁶

After one hundred years, although the Mormon Church was not so ubiquitous, or at least not so monopolistic, as it was in the days of Joseph Smith and Brigham Young, yet the feeling persisted with the Latter-day Saints that their religion must do something about all the problems of life. The Mormons were activists on many fronts. A spokesman of their persuasion declared that while "church and state are separated in the ordinary sense of the term they never can be separated in the hearts of the 'Mormon' people."⁷

Such a declaration is not without meaning. It expresses a philosophy which is quite the antithesis, for example, of

¹Jensen, op. cit.

²See Smoot Proceedings, passim.

³Roberts, op. cit., VI, 521.

⁴Harold B. Lee, "Church Security: Retrospect, Introspect, Prospect," The Improvement Era, XL (April, 1937), 204-210, 260.

⁵Carveth Wells, "A Citizen of the World Looks at Utah," The Improvement Era, XXXIX (August, 1936), 485.

⁶John A. Widtsoe, "Zion," The Millennial Star, XCII (1930), 728-730.

⁷Reed Smoot, "Loyalty and Patriotism of the Latter-day Saints," The Improvement Era, XXXIII (May, 1930), 482-484.

current German pietistic thought in which religion and government are entirely separated. Yet the declaration does not pose the more exacting question. It may be granted that the church and state will not be "separated in the hearts of the Mormon people." But how are church and state to function together for the mutual welfare of each other? That is the further problem and the difficult one. Is the working relationship to be that which is achieved only when one institution is taken over by the other? And if not, then what? These questions--perhaps the oldest, newest, and most persistent ones in the history of Christianity--confront the Christian world today in acute form.¹ They also present themselves to the Latter-day Saints.

¹See J. H. Oldham (ed.), The Oxford Conference Official Report (Chicago: Willett Clark and Co., 1937).

